

Appl. No.: 09/483,063
Amdt. dated May 17, 2004
Reply to Office action of March 18, 2004

REMARKS/ARGUMENTS

Applicants received the Office Action dated March 18, 2004, in which the Examiner: (1) objected to claims 8 and 25 as containing language informalities; (2) rejected claims 24 and 25 under 35 U.S.C. 112, first paragraph; (3) rejected claims 1-7 as obvious in view of U.S. Patent No. 6,075,862 ("Yoshida") and U.S. Patent No. 6,411,941 ("Mullor"); (4) rejected claims 8-14 as obvious in view of Yoshida, Mullor and U.S. Patent No. 5,058,162 ("Santon"); (5) rejected claims 15-19 as obvious in view of U.S. Patent No. 5,894,571 ("O'Connor"), U.S. Patent No. 6,016,400 ("Day") and Mullor; and (6) rejected claims 20-23 as obvious in view of Yoshida and U.S. Patent No. 5,933,497 ("Beetcher").

In this Response, Applicants amend claims 1, 8, 15, 20 and 24-25. Based on the arguments and amendments contained herein, Applicants respectfully request reconsideration and allowance of the pending claims.

I. CLAIM OBJECTIONS

Claim 8 was amended to replace the phrase "in loaded" with "is loaded" as requested by the Examiner. Claim 25 was amended to replace the phrase "only said adding one or more identifiers" with "only adding said one or more identifiers" as requested by the Examiner. Accordingly, Applicants submit that the objections to claims 8 and 25 should be withdrawn.

II. § 112, FIRST PARAGRAPH REJECTIONS

The Examiner rejected claims 24 and 25 and asserted that the phrase "after said installing each software product, adding one or more identifiers into the memory" in combination with other limitations of the claim 24 is not described in Applicants' disclosure. Applicants disagree and point the Examiner's attention to, at least, page 14, line 19 – page 17, line 5. Specifically, the claimed limitation "comparing identifiers stored in a memory with identifiers of a plurality of software products" is taught, at least, on page 14, line 24 – page 15, line 2. The claimed limitation "installing each software product in a computer system only if the identifier of the software products matches an identifier stored in the memory" is taught, at least, on page 15, lines 4-13. The claimed limitation "after said installing each software product, adding one or more identifiers into the memory"

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is taught, at least, on page 16, line 16 – page 17, line 5. The limitations are combinable, at least, because the disclosure teaches “in addition to allowing the customer to restore his ordered software, the preferred embodiment of the present software delivery system allows the customer to obtain additional software products...FIG. 4 illustrates the process for delivering the additional software” (see page 15, lines 14-18). Therefore, the rejections under § 112, first paragraph should be withdrawn.

III. THE OBVIOUSNESS REJECTIONS

Amended claim 1, in part, requires a “a digital storage device containing a plurality of software products, said software products each having been assigned a unique identifier” and a “computer system having pre-stored before installation of the software products at least one but not all identifiers corresponding to the identifiers of said software products in said non-volatile memory.” None of the references cited by the Examiner teaches or suggests these limitations.

Yoshida teaches a system including a decryption key memory unit 13 that “stores the software ID of each encrypted software 100 which was installed once, in correspondence to the decryption key for decrypting each encrypted software 100 that was acquired from the software vendor 14” (see col. 6, lines 5-9). Mullor teaches creating restricted software licenses using an identification number 8 of a computer. Software licensors may use the identification number to restrict software applications to run only on the computer associated with the identification number (see col. 1 line 38 – col. 2, line 47).

Neither Yoshida nor Mullor teaches or suggests both “a digital storage device containing...software products each having been assigned a unique identifier” and a “computer system having pre-stored before installation of the software products at least one but not all identifiers corresponding to the identifiers of said software products in said non-volatile memory” as required in claim 1. As described above, Yoshida specifically teaches a software ID that is stored after installation of the software and therefore does not teach or suggest a “pre-stored” identifier as required in claim 1.

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Mullor teaches a computer identification key that is stored during manufacturing (see col. 2, lines 43-47). However, the identification key does not correspond to software until after the software is loaded into the memory of the computer (see col. 2, lines 10-20). In contrast, Applicants' claim 1 only loads "the software products having an identifier which corresponds to the at least one identifier stored in the non-volatile memory."

Furthermore, neither Yoshida nor Mullor teaches or suggests pre-storing "at least one but not all identifiers corresponding to the identifiers of said software products in said non-volatile memory" as required in claim 1. The combination of Yoshida and Mullor would also lack the limitations of claim 1, which require pre-storing "at least one but not all identifiers" of "software products" contained on a "digital storage device." For at least these reasons, Applicants submit that claim 1 and all claims that depend from claim 1 are allowable.

Amended claim 8, in part, requires "[a] computer system pre-storing before loading the software modules at least one identifier in said non-volatile memory which corresponds to at least one but not all identifiers of said software modules" and loading "at least one software product from the software module having an identifier which corresponds to the identifier stored in the non-volatile memory."

As described previously, with respect to claim 1, neither Yoshida, Mullor, nor the combination of Yoshida and Mullor teaches or suggests these limitations. Santon teaches decrypting files on a media disc using a special reading device that includes an encryption key (see col. 2, lines 12-31). Santon also teaches that different sets of files on the media disc can be accessed if a user enters different passwords (see col. 2, lines 38-51). Therefore, Santon teaches access to different set of files on the media disc using a password that is not pre-stored and, at least, does not teach "pre-storing before installation of the software modules at least one identifier in non-volatile memory which corresponds to at least one but not all identifiers of said software modules" as required in claim 8. Combining Santon with Yoshida and Mullor would still not teach or suggest the above limitations. For at least these reasons, Applicants submit that claim 8 and all claims that depend from claim 8 are allowable.

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Amended claim 15, in part, requires "writing a set of software products onto a digital storage device, said set of software products containing at least one custom-ordered software product and other software products" and "writing only the identifiers of said custom-ordered software products into the non-volatile memory of said computer system." While O'Connor teaches writing a CD-ROM that contains "any combination of manufacturer specified software" (see col. 5, lines 22-28), O'Connor does not teach "writing only the identifiers of said custom-ordered software products into the non-volatile memory of said computer system" as required in claim 15. Neither O'Connor, Day, Mullor, nor a combination of the cited references teaches or suggests all of the above limitations. For at least this reason, Applicants submit that claim 15 and all claims that depend from claim 15 are allowable.

Amended claim 20, in part, requires "[a] storage...configured to contain a plurality of software identifiers before a consumer receives the system" and "[a] processor [that] is adapted to install software products from the removable storage device that have software identifiers that match software identifiers stored in the system's storage, but not install those software products from the removable storage device that do not have software identifiers that match software identifiers stored in the system's storage." For, at least, the reasons provided previously, with respect to claims 1 and 8, none of the references or combinations of references cited by the Examiner teaches or suggests the above limitations. For at least this reason, Applicants submit that claim 20 and all claims that depend from claim 20 are allowable.

Amended claim 24 requires "comparing identifiers stored in a memory with identifiers of a plurality of software products," "installing each software product in a computer system only if identifiers of the software product matches the identifiers stored in the memory" and "after said installing each software product, adding one or more identifiers into the memory to install new software products." For, at least, the reasons provided previously, with respect to claim 15, none of the references or combinations of references cited by the Examiner teaches or

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suggests the above limitations. For at least this reason, Applicants submit that claim 24 and all claims that depend from claim 24 are allowable.

IV. CONCLUSIONS

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

Respectfully submitted,


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